

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

WHETSTONE ELECTRONICS LLC,	§	
Plaintiff,	§	
	§	Civil Action No. 6:08-CV-317-LED
v.	§	JURY TRIAL DEMANDED
	§	
EPSON AMERICA, INC., et al.,	§	
Defendants	§	

**JOINT MOTION FOR DISMISSAL OF CLAIMS BETWEEN PLAINTIFF
WHETSTONE AND DEFENDANTS GANDI INNOVATIONS LTD. AND GANDI
INNOVATIONS LLC**

Under Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff and Counterdefendant Whetstone Electronics (“Whetstone”) and Defendants and Counterclaimants Gandhi Innovations Limited and Gandhi Innovations LLC (the “Gandi Defendants”) jointly move for a judgment of dismissal. In particular, the Gandhi Defendants have filed for bankruptcy under Chapter 15 of Title 11 of the United States Code in the United States Bankruptcy Court of the Western District of Texas on May 14, 2009. The parties jointly move this Court to dismiss, with prejudice, all claims by Whetstone against the Gandhi Defendants accruing on or before May 14, 2009. The parties also jointly move this Court to dismiss, without prejudice, all claims and counterclaims by and against each other accruing after May 14, 2009.

The parties further move this Court to order that all costs and expenses relating to this litigation shall be borne by the incurring party, and that all rights of appeal are waived. A proposed order accompanies this motion per rule CV-7(a).

Agreed to and respectfully submitted this 11th day of August, 2009.

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this 11th day of August, 2009.

s/ William B. Nash
William B. Nash